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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/601,811 | 06/24/2003 | Tatsuo Aramizu | Q75936 | 7888 |

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| EXAMINER | |
|---|---|
| SHAH, CHIRAG G | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2616 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/601,811 | ARAMIZU ET AL. | |
| | Examiner | Art Unit | |
| | Chirag G. Shah | 2616 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *8/30/07*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1 and 5* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 rejected under 35 U.S.C. 102(e) as being anticipated by Fukushima et al. (US 2002/0060986), hereinafter referred as Fukushima.

Regarding claim 1, Fukushima discloses in **fig. 2** of a router apparatus **[router 10, see fig. 2]** comprising:

a plurality of routing tables **[see fig. 2, route calculation units 11a and 11b comprising routing tables in active and standby mode]** for storing thereinto route information used to transfer received data **[see paragraphs 0030. 0118 and fig. 2]** ;

a rewriting information saving unit for saving a writing sequence of said plurality of routing tables **[see paragraph 0118 where the standby mode is to be rewritten each time the link-state data based is updated]**;

a table switching unit for switching said plurality of routing tables **[state monitor module 20, see fig. 2 and paragraphs 0080];** and

a route processor unit **[ route calculation module 16, see fig. 2]** for managing setting/rewriting/deleting of the routing table based upon route information supplied by a network operator, or route information obtained by routing protocol **[0081-0082 and 0118, route**

**calculation module 16 calculates a router form the link-state database and router information to the routing tables]**

wherein when a communication failure caused by the routing table occurs, said failed routing table is switched to another routing table into which old route information has been stored so as to continue the communication **[see, paragraphs 0030, 0091and 0118 if a failure occurs caused by a route calculation unit then the routing table is switched to standby route calculation unit having old route information]**.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Fukushima in view of Olson et al (US 4,679,189), hereinafter Olson.

Regarding claim 5, Fukushima discloses a routing apparatus **[router 10, see fig. 2]** comprising: a main routing table **[active route calculation unit, see fig. 2 and 0030 and 0118]** for storing thereinto latest route information required to transfer received data:

a plurality of sub-routing tables **[see fig. 2, route calculation units 11a and 11b comprising routing tables in active and standby mode]** for storing thereinto old information when an update process operation is carried out with respect to said main routing table, said old

information being related only to a main table portion where said update process operation is carried out **[see paragraphs 0030, 0118 and fig. 2]**;

a route processor unit **[route calculation module 16, see fig. 2]** for managing a setting/rewriting/deleting of the routing table based upon route information supplied by a network operator, or route information obtained by routing protocol **[0081-0082 and 0118, route calculation module 16 calculates a router form the link-state database and router information to the routing tables]**,

wherein when a communication failure caused by the routing table occurs, the control unit **[state monitor module 20, see paragraph 0091 and fig. 2]** receives a failure occurrence notification issued from said route processor unit, and returns the condition of the failed routing table to the condition of the routing table immediately before the communication failure occurs so as to continue the communication **[see, paragraphs 0030, 0091and 0118 if a failure occurs caused by a route calculation unit then the routing table is switched to standby route calculation unit having old route information; switching to standby occurs before communication failure]**.

Fukushima discloses of a status monitor module 20 serving as a control unit. Fukushima however fails to disclose of a Round-Robin register for saving a writing sequence to said main routing table and Round-Robin control unit for controlling said Round-Robin register.

Olson discloses in fig. 2 of a switch including status/control registers 202 . Olson further discloses in col. 22, lines 39-53that the packet switch includes a controller for writing sequence to a plurality of routing tables in a round robin manner. If the selected route fails that route is not used and instead, the next non-failed route in sequence is used by the packet switch to route the

packet. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify the teachings of Fukushima to include the features of teachings a round-robin register for writing a sequence to the main routing table and controlling the round robin registers during failure as taught by Olson. One is motivated as such in order to reduce delay and optimize deficiencies such as session disruption.

### *Response to Arguments*

5. Applicant's arguments with respect to claims 1 and 5 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag G. Shah whose telephone number is 571-272-3144. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cgs
November 8, 2007

CHIRAG G. SHAH
PRIMARY PATENT EXAMINER

Chirag G. Shah
Primary Examiner, 2616